G. R. S. IX-5]

Previous references.

Ld. 439-84.

1897-98

~~192~~.

([illegible])

File No. 129

Serial Nos. 1—8

Later references.

Ld. 368-03.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—8

Major ~~Part~~ B for April 1898.

SUBJECT.

Appeal of Venkatlakshamma and Nadig Venkataramanaiya for the Shanbhagi office of Doddenahalli Sirha Arsikere Taluk.

To The Deputy Commissioner Hassan district.

No. 10521/P.2.73-97 Dated 2.5.98

Sl. 8. Forwards copy of the endorsement issued to the Appellant on the subject.

WD 2233—GPB 1000—14-6-20

Indexed

P.J. 73797

Cat^n of proceedings
with record
In the meanwhile
no interference
with the Dy Comr's
order is necessary
[illegible]
1/12/97

Recd 4/12/97 [illegible]

O.M.
[illegible] 4/12/97

1st and drafted
[illegible] 6/12/97

Pet^n no 1230

Dy Officer Hassan appointed
Lakshmi narnappa, the
son-in-law of Thanmaiya
as gumasta in 1885

The 2nd pet^r in this case (Venkatramana)
then appealed against this
order but the appeal was
dismissed on the ground that
the gumasta was closely
related to the barawardar
possibly also that 2nd pet^r was
the son of Khandappa,
proscribed under chief Comr's
proceedings & that the 2nd pet^r
was only very distantly
related to the barawardar

= It appears that Lakshmi-
narnappa has been dismissed (vide pet^n no)
& his son (Venkatramana by
name) has been appointed
to succeed him. The 2nd
pet^r now appeals against
this order not under the
wrongs of Krishnappa ~~but~~ who is
now dead but of his widow
the 1st pet^r. It is very

doubtful if the 1st petr
really desires a change of
gumastas. Specified [illegible]
appear in person when the
petr was presented. The Dy Comr's
order does not say anything
about her inclinations
either way. She is the barawardar
& a fair portion of the potgi is given her for maintenance
= The 2nd petr wants that
his brother Subramanya
who is said to have performed
obsequies to the deceased Krishnappa
shd be appointed gumasta.
He further states the son of the
dismissed gumasta should
not be appointed in succession
(Petr No 1233 from Lakshminarnappa
is closely related to this aspect of the case)
2nd Petr further states that his
brother was appointed as gumasta
by the asst Comr on the dismissal
of Lakshminarnappa & that this
order was reversed by the Dy Comr

Sub'd by 2nd Councillor
[illegible] 24/11/19

3

Appeal petition
No 1320 of 13-11-97

Appellants —

(1) Venkatalakshamma ~~wife~~ widow of Krishnappa ~~the~~ Shanbhogi-Registerdar of Doddenahalli firka, Aracikere Taluq, Hassan District.

(2) Nadig Venkataramanayya son of Nadig Khandappa of Harnahalli

This is an appeal against order No 236 of 22-10-97 of the Dy. Comr. of the Hassan District, appointing Venkataramayya "

grandson of Tammayya the late gumasta, as gumasta to the 1st Appellant viz- Venkatalakshamma.

Krishnappa was the Baravardar Shanbhog of Doddenahalli firka. His gumasta called Tammayya became incompetent to discharge the duties of his office on account of his sickness. The then Amildar asked Krishnappa to produce a competent man for gumasta's place instead of Tammayya. Accordingly Krishnappa produced Tammayya son of Khandappa who claimed the place on the ground that his great-grandfather & Krishnappa's great-grandfather were brothers

27-10-83 — (1).
22-11-84 — (4).

23-12-84 — (14).

Sivaramayya of Harnahalli submitted a petition to the Amildar, objecting to the appointment of Venkataramanayya alias Tammayya on the grounds (1) that he was imprisoned for 3 days

2-1-85 — (5).

in a criminal case & was fined in another case and (2) that his family was proscribed by the Chief Commissioner's order No. 3622/91 of 28-9-72

Vide - (43)

(7)s - 2-1-85

Meanwhile the Shekdar of Hanchalli reported that Tammayya the gumasta of Krishnappa died & that Lakshmi-narayappa his son-in-law might be appointed gumasta.

(6)s - 3-1-85

The Amildar made an enquiry of the claimants & Lakshmi-narayappa deposed before him as follows - That Tammayya was gumasta to the Baravardar Shanbhog of Doddenahalli for 30 years and died on 1-1-85 leaving behind him his wife and two daughters. That his obsequies were performed by him. That the mother & her two daughters were under his protection. That the original Baravardar was Venkataramanayya. That on his death his elder brother Giriappa became Baravardar,

on account of Tammayya's minority. That on the death of Giriappa his son Krishnappa became Baravardar. That as Krishnappa was illiterate Tammayya was appointed gumasta to him. That he as the son-in-law of Tammayya & as the father of Tammayya's grandson would claim the gumasta's place & would produce a security of Rs 200. That he would also resign the office of Patel in favour of his brother.

In support of the above deposition, Sivitramma wife of the deceased gumasta submitted a petition to the Amildar that her husband was a Shanbhog gumasta for a long time, that her son-in-law Lakshminarayanappa & his son were sole heirs to the place of gumasta & that anyone of them might be appointed gumasta. 5-1-85 — (9).

Krishnappa as before supported Tammayya son of Khandappa to the gumasta's place by his petition to the Amildar. 6-1-85 — (8)

2

(12)s — 11-1-85

The Amildar thereon submitted the following report to the Subdivision Officer. That Tammayya was gumasta to Krishnappa the Baravardar Shanbhog of Doddenahalli firka & died on 1-1-85. That he was gumasta for 30 years. That Krishnappa proposed one Tammayya son of Khandappa to be his gumasta for three reasons viz (1) that he was fifty years old, (2) that he had no male issue (3) & that he could not perform the duties of his office himself. But one Sivaramayya objected to the proposal of Krishnappa & claimed the office for himself proposing to give a security of Rs 200. That Lakshminaranappa son-in-law of the late gumasta was temporarily appointed as gumasta in anticipation of sanction. That Lakshminaranappa had a son, would advance Rs 200 as security & would support his mother-in-law and her children.

Along with the above report an extract of Barabaluti Register was submitted —

Vide - (10).
Note - It is stated in the register that the original hagdar was Tammayya who had three sons, that one of them was Krishnappa the register-dar & Tammayya was the gumasta.

In connection with the above report the Sub division officer ordered that Lakshminaranappa should promptly produce Rs 250 as security to get the gumasta's place for himself.

Meanwhile Krishnappa complained to the Sub-division officer, that the Amildar recommended a man other than the one proposed by him for the gumasta's place.

12 - 1 - 85 - - (25).

The Amildar made a further enquiry of the claimants & Lakshminaranappa & Sivaramayya deposed before him that ~~they~~ each of them would deposit Rs 250 in the Savings Bank & produce their pass-books as securities.

10 - 2 - 85 — (15).

12 - 2 - 85 — (16).

Meanwhile Nadig Venkataramanayya deposited Rs 250 in the Savings Bank, produced the pass book as security & requested the Amildar

12 - 2 - 85 — (17).

to appoint him gumasta as proposed by Krishnappa.

(21)s — 12-2-85 Savitramma also submitted a petition to the Sub-division Officer that her husband was cousin to Krishnappa, that the latter had no male issues, that her grandson Venkataramanappa might be appointed Barawardar with her son-in-law as gumasta & that she would produce a deposit of Rs 250 as security.

(13) — 13-2-85 On the above depositions & petitions the Amildar reported as follows — That Lakshminarayanappa and Venkataramanappa had each deposited Rs 250 as security for gumasta's Acc. That Savitramma wife of the late gumasta, requested that her grandson called Venkataramanappa might be appointed Barawardar with her son-in-law as gumasta.

On the receipt of the above report the Sub-division Officer ordered the Amildar to issue notices to the parties concerned

to appear before him

Meanwhile Shanbhog Naranappa in his petition to the Sub-division Officer, claimed the gumasta's place on the ground that he was a "Dasaratra gnati" to the deceased gumasta. 15-2-85 — (27).

Sivaramayya submitted a petition to the Amildar - that he might be appointed gumasta, that he would give a security of Rs 250 & that Khandappa's family was proscribed by order No 3622 dy 28-9-72 of the Chief Com. 20-2-85 — (29).

Shanbhog Subbanna submitted a petition to the Sub-division Officer - that Khandappa's family was proscribed by the Chief Com. that therefore he (i.e. Subbanna) might be appointed gumasta & that he would produce a security of Rs 250 22-2-85 — (28).

Savitramma submitted a petition to the Sub-division Officer - that Venkataramanayya was her father-in-law & was the Baravardar Shanbhog of Doddenahalli. 6-4-85 — (42)

that after his death his brother Girieppa became Baravardar - that after the death of the latter, Krishnappa became Baravardar & that her husband Tammayya was gumasta to Krishnappa for about 35 years - that therefore the office of Shanbhogi might be registered in her grandson's name with her son-in-law as gumasta.

As required by the Sub-division officer the parties concerned appeared before him for enquiry.

(44)s — 6-4-85 Lakshminarayappa son of Venkatadasappa deposed as follows — That Tammayya his father-in-law allowed Krishnappa to enjoy the lands attached to the office of Shanbhogi in Doddenahalli, Hebbarnahalli, Belavathahalli & yadagatteghama, and was not in the habit of paying anything to Krishnappa in the shape of money

Savitramma deposed as follows - That Krishnappa

was not paid anything in the shape of money by Zammayya and was allowed to enjoy the revenue of the lands referred to in the ~~above~~ previous deposition

Krishnappa deposed as follows— That in addition to the enjoyment of lands belonging to the office referred to above, he was paid Rs 40 annually by Zammayya.

Thereon the Sub-Division Officer passed the following order— That the parties ~~who~~ that presented themselves were examined. That the office of Shanbhog should continue in the name of Krishnappa Baramardar as it had hitherto been. The at-since Lakshminarasappa stated that he had no objection to the enjoyment of the lands (attached to the office of Shanbhog) by Krishnappa, the latter might be allowed to continue the enjoyment of his possessions. That

6-4-85 (45)

in place of Tammayya Lakshminaranappa should be appointed gumasta, ~~retaining~~ & his pass-book retained. That the pass-books of others should be returned to them.

(50/51)s — 10-4-85
(52)s — 28-4-85

Venkataramanayya & Krishnappa applied for the copy of the above order & refused to take back their pass-book with a view to appeal against the order.

(54) — 6 -5-85

Lakshminaranappa gave a mutchalika to the Amildar, to discharge the duties of his office properly.

(55) — 25-5-85

He also gave another mutchalika to the Secretary to the Savings Bank, not to mortgage or transfer or convey or withdraw the deposited amount without the permission of the Dy. Com. or Sub-Division officer under whom he would chance to serve.

(30 — 5 — 85.

As stated above Venkataramanayya son of Khandappa appealed

to Govt. against the order of the Sub-Division Officer on the following grounds —

1 That the Baravardar of Doddenahalli firka was his elder paternal uncle.

2 That Tammayya son of his younger paternal uncle was only a gumasta to the Baravardar.

3 That as required by the Sub-Division Officer he deposited Rs 250 in the Savings Bank as security

4 That the office was acquired by his ancestors by paying 120 panams & was enjoyed for generations.

5 That the Sub-Division Officer was biased by the recommendation of the Amildar and passed orders against the wishes of the Baravardar.

6 That the shanbhogi office of Doddenahalli was registered in the name of his great-grandfather with Ramayya as gumasta. That owing to some friction between the gumasta & Venkataramanayya (ie grandfather of the petitioner)

Bakshi Rama Rao passed orders of 6th day of Asvija Bahula of Angirasa year, directing the Amildar to restore place the office in charge of Venkata-ramanayya. That the copy of Hukkum of Swabhanu year from Nanjaraja Urs Bahaddur & the copy of Niroopa of Vikari year would support his claim to the office of Shanbhogi.

With a prayer that the Subdivision officer's order might be cancelled & he might be appointed gumasta.

Krishnappa also submitted an appeal petition of 23-8-85 in support of the above petition.

The above appeal petition was referred to the Subdivision officer for report. & ~~The Subdivision Officer~~ he ordered the Amildar to report on the following ~~of~~ points - (1) Whether Venkataramanayy was

a gnati to the Baranardar.
(2) Whether the genealogical table submitted by him was a true one - (3) when and on what grounds Tammayya was appointed gumasta?

Accordingly the Amildar ordered Venkataramanayya son of Khandappa, Lakshminaranappa, and Krishnappa to appear before him with records in support of their claims. 12-6-85 — (67)

Meanwhile Krishnappa submitted a petition to the asstt: Comr - that he suggested his 'gnati' Venkataramanayya to be his gumasta; that one Lakshminaranappa was appointed against his wishes, that therefore he would propose somebody else to be his gumasta. 9-7-85 — (71)

As required above Venkataramanayya appeared before the Amildar and deposed as follows — that he would produce the copy of the judgment in which his & his father's conviction in 17-7-85 — (73)

in a criminal case, was set aside. That he would also produce the order passed by the Superintendent of the Astagram Division to the effect that the Office of Shanbhogi might be given to him & not to his father. That on one occasion he was fined Rs 1, and on another occasion was fined Rs 50 in addition to imprisonment. That the sentence of imprisonment was set aside. And that he might be appointed guemasta.

(78)s — 5-8-85 Krishnappa deposed that he did not know the exact date of his appointment that since the time of his father's death he had been Baravardar & Tammayya his guemasta.

(79)s — 5-8-85 Shambhog Subbanna deposed that the genealogical tree submitted by ~~him~~ Venkataramanayya was correct.

Vide — (15)

(80)s — 9-8-85 Shortly after the above

depositions were taken by the Amildar. Sandramma submitted the following ~~the~~ petition to him — That the ancestors of Venkataramanayya, the ancestors of her husband Tammayya, the ancestors of Naranappa of Kalyadi firka, & the ancestors of Timmappayya of Nirugunda firka, were all the descendants of ~~one~~ a Shanbhog who lived ~~flourished~~ about 106 years back. That the Shanbhogi office of Doddenahalli firka was enjoyed by her family. That her father-in-law Venkataramanayya & ~~their~~ his brother Girieppa were Baravardars. That after the death of the latter his son Krishnappa succeeded to the office with her husband as gumasta who discharged the duties of the office satisfactorily for about 35 years. That her ~~husband~~ family and Venkataramanayya's family were divided long ago. That her husband had allowed her to adopt her grandson. That therefore the members of the other branches of

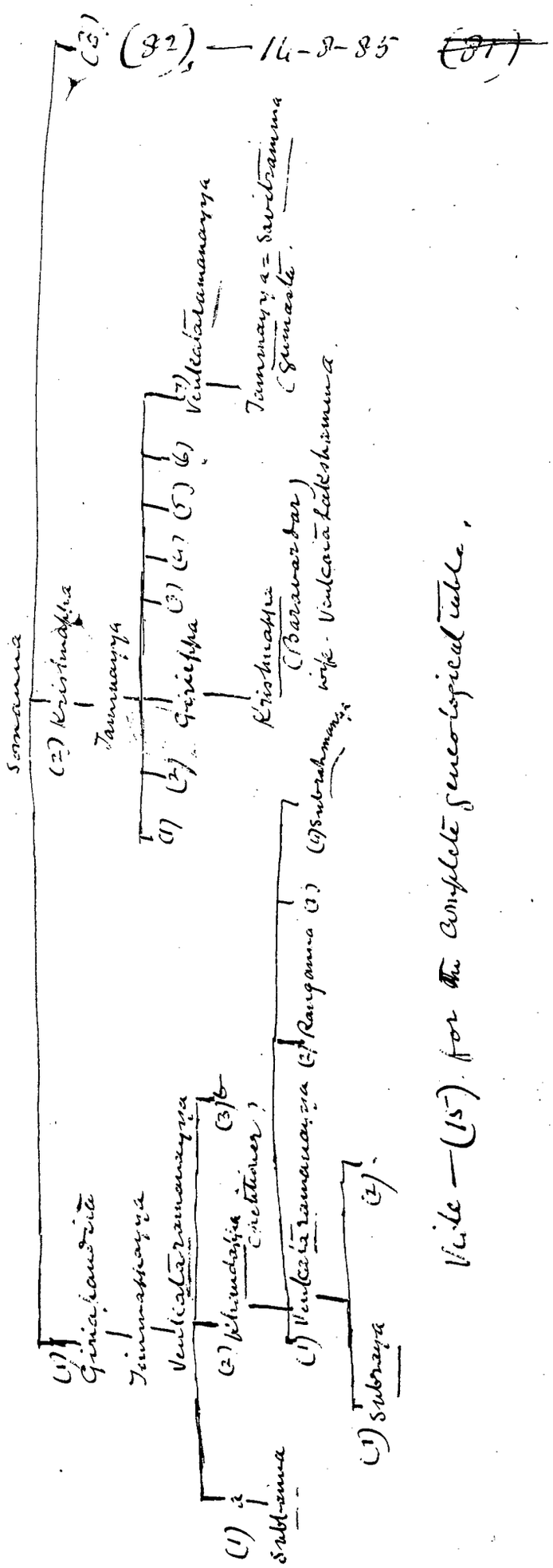
the family should not ~~step~~ step into the Shanbhogi office of Doddenahalli ~~where~~ while there were hagdars, in the branch entitled to the office of that firka.

The Amildar as directed previously by the Sub-division officer, ~~before~~ reported as follows —

That the genealogical table produced by Venkataramanayya was examined by him & it seemed to him to be correct. That at first the office of Shanbhog was in the name of Venkataramanayya father of the late gumasta viz Tammayya. That Girieppa succeeded Venkataramanayya & after the former's death in 1854 on the recommendation of the Amildar in his report No 308 of 21-11-54 Krishnappa was appointed Baravardar with Tammayya as gumasta with the approval of the Supt. of the Astagram division, conveyed by his order No 141 of 28-12-54. And ~~that~~ the Amildar also submitted the records connected with the case, along with petition

(82) — 14-8-85 ~~(81)~~

Somanna
(1) Giriapandita
Timmappayya
Venkataramanayya
(1) a Subbanna
(2) Khandappa (Petitioner)
(3) b
(1) Venkataramanayya
(2) Ranganna
(3)
(4) Subrahmanya
(1) Subraya
(2)
(2) Krishnappa
Tammayya
(1) (2) Girieppa
(3) (4) (5) (6)
(7) Venkataramanayya
Krishnappa (Baravardar) wife Venkata Lakshamma
Tammayya = Savitramma (Gumasta)



Vide — (15) for the complete genealogical table.

of Savitramma.

The Report No 308 of 21-11-54 of the Amildar referred to above, is as follows — That Ramayya, Seethappa, ~~Timpp~~ Timmappa, Girieppa and Venkataramanayya were brothers. That the first three brothers died. That Girieppa had a son called Krishnappa & Venkataramanayya had a son called Tammayya. That after the death of Girieppa, Krishnappa & Tammayya both claimed the office. That Tammayya's ground was that the office was registered in the name of his uncle Girieppa as he was a minor ~~during~~ when his father died. That on enquiry it was found that the brothers were divided. ~~Jadagutta~~ That Jadagutta & Hebbarnahalli belonged to Krishnappa son of Girieppa. That Suttinakere & Somanahalli belonged to Tammayya. That Doddenahalli belonged to Seethappa. That as Krishnappa was illiterate he might be appointed Baravardar & Tammayya

(81).

gumasta. And that Krishnappa & Tammayya might enjoy the office for a definite period, by turns, when the former would qualify himself to manage his work without the assistance of the latter.

Vide - Sub-Division Officer's report No 545/154 of 20-8-85

On the receipt of the above report the Sub-Division Officer submitted his report to the Govt. purporting that Venkataramanayya was the Shaubhog of Doddenahalli firka, that when he died Girieppa succeeded him. That after the death of Girieppa his son Krishnappa was appointed Baravardar with Tammayya as gumasta as Krishnappa was illiterate. That on the death of Tammayya who was gumasta for 31 years, in accordance with the wishes of his widow, her son-in-law Lakshminaranappa was appointed gumasta whose son she stated, would adopt. That Venkataramanayya's claim was rejected as

his family was taunted by the Chief Commr's Order No $\frac{3622}{9}$ of 28-9-72. Vide - (43)

The decision of the Sub-division officer was confirmed by Govt. Proceedings No $\frac{3497}{137}$ of 10-9-85 stating that the ~~second~~ deceased gumasta appears to be a member of the Baravardar's family and a very close relative in the direct line & that his son-in-law's appointment as gumasta of the Baravardar is therefore equitable & confirmed. 26-8-85

About 10 years after Lakshminarayappa was appointed gumasta Venkata Lakshamma wife of Baravardar Krishnappa submitted a petition to the Dy. Comr that Lakshminarayappa wanted take all the Potige for himself, that she would suggest somebody else to be her gumasta & that she would regard- 12-12-95 (6)

that half of the Patigi might be given her for maintenance as her husband was very old.

~~Meanwhile Krishnappa died~~ The Dy. Comr. ordered on the petition that the gumasta could not be changed at the whim of the petitioner & that a report should be submitted by the Amildar about her maintenance, with enquiry.

(1) ———
(5) — 26-12-95

Meanwhile Krishnappa died & Savitramma submitted the following petition to the Amildar — That her son-in-law Lakshminaranappa had been gumasta for the past 12 years by the order of the Govt. That her grandson Venkataramayya might be appointed Baravardar in place of Krishnappa & that Lakshminaranappa might continue to be gumasta till Venkataramayya ~~ya~~ might attain majority

(4) — 28-12-95

Venkatalakshamma

submitted a petition
to the Amildar that
she might be appointed
Baravandar in place
of her husband who
died on 13-12-95, with
a gumasta related to
her husband.

Khandappa sub- 2-1-96 — (8)
mitted the following
petition to the Amildar
That the late Baravandar's
~~family & his~~ grandfather
& his grandfather were
brothers. That he
performed the obsequies
of Krishnappa & that
Lakshminarasappa
had no claim whatever
to the office of Shanbhogi
That Krishnappa
belonged to the 2nd branch
of the family & left no
male issue. That he
belonged to the 1st branch.
That he or his son
might be appointed Baravandar.

The Amildar 4-3-96 — (2)
thereon reported that
Krishnappa died on
13-12-95 & that he would submit a
report regarding the
appointment of a Baravandar
with enquiry.

1 Lakshminaranappa
2 Savitramma wife of Tammayya
3 Nadig Khandappa
4 Venkata Lakshamma wife of Krishnappa

Accordingly the marginally noted persons were ordered to present themselves before the Amildar.

(12) — 4-4-96

Meanwhile Subbamma daughter-in-law of the late Baravardar, submitted a petition to the Amildar — that she or that ~~herself~~ she and her mother-in-law, ~~might~~ might jointly be ~~jointly~~ appointed Baravardars & that she would maintain her mother-in-law who was about 70 years old.

(13) — 8-4-96

Venkata Lakshamma appeared before the Amildar ~~as was re~~ & deposed as follows

As it was required above by the Amildar that Venkata Lakshamma appeared before him & deposed as follows — That Krishnappa Baravardar Shanbhog of Doddenahalli firka was her husband & died on 13-12-95. That Lakshminaranappa son-in-law of Tammayya had been gumasta & would not give her

any portion of the Potigi That she might be appointed Bazavardar with Subrahmanyaiya son of Khandappa as gumasta. That Subrahmanyaiya would maintain her and her daughter-in-law.

Subbamma deposed as follows— That the office might be registered in her name with Lakshminaranappa as gumasta who had consented to give a half of the Potigi for the maintenance of her & her mother-in-law. 8-4-96 — (14)

Nadig Khandappa deposed as follows— That Krishnappa's grandfather & his grandfather were brothers. That a geneological table was produced in support of his statement. That he performed the obsequies of Krishnappa. That he had 3 Sannads in support of his claim. That his father Venkataramanayya was the Shanbhog of Doddenahalli. That his uncle Naranappa succeeded his father. That as Naranappa was 8-4-96 — Vide (15)

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otherwise engaged, Krishnappa's father was appointed Shanbhogi. That Krishnappa succeeded his father & died without a male issue. That therefore he might be appointed Baravardar ~~gumasta~~ with his son Subrahmanyaiya as gumasta. That he would pay any portion of the Potigi which the Govt would determine.

Of the copies of Sannads referred to before, two copies make no mention of Doddenahalli.

Vide (16 & 17)

The copy of Hukkum from Bakshi Rama Rao to the Amildar of Harnahalli, states as follows — That if it was true that Venkata-ramanayya's father appointed Surappa to look after the accounts, ~~that~~ Surappa should be removed & Venkata-ramanayya be asked to look after the accounts. That if it ~~also~~ was also true that Shanbhogi office belonged to Venkataramanayya from the beginning, his gumasta Ramayya should be removed & Venkataramanayya be placed in charge of the office.

Vide - (18)

~~Another copy of~~ Vide — (19)

The copy of another Sanad states, that the office of Shanbhog of Doddenahalli and Murundi Magani should be permanently enjoyed by the family of Giriapandit.

Meanwhile Khandappa had submitted a petition to the Dy. Comm — that he belonged to the 1st branch of the family, that Krishnappa belonged to another branch of the same having no male issue & ~~that~~ & that he might be appointed Baranardar in accordance with the Govt. Proceedings no — dy 19-5-81 16-4-96 — (25)

Savitramma wife of Tammayya deposed as follows — That Krishnappa ~~the late Baranardar~~ ~~had left~~ died leaving behind him his wife, a widowed daughter & a daughter-in-law. ~~behind him~~. That her son-in-law was appointed gumasta to Krishnappa in 1885 by order of the Govt. That she would adopt her grandson in accordance with the permission of her husband. That 10-5-96 — (21)

her grandson might be appointed Baravardar. Savitramma produced a genealogical table which the Amildar had approved.

Vide (21).

(23) — 10-5-96

Lakshminaranappa deposed as follows— That his father-in-law was the haqdar of the ~~family~~ office of Shanbhog. That when he died he ~~he~~ was appointed gumasta & Krishnappa was allowed to enjoy the lands attached to the office. That out of the Potigi used to be the sum of Rs 8-4-0 was paid to Krishnappa. That he would give his second son in adoption to Savitramma as requested by Tammayya during his life-time. That his son Venkataramayya might be appointed Baravardar in accordance with the wishes of his mother-in-law. The he would continue to be gumasta till his son might attain majority & ~~pay~~ allow Venkata Lakshamma to enjoy the lands enjoyed by her husband.

deposed that Lakshmi-
naranappa would not
give her any portion
of the Potigi for her
maintenance & that
her father-in-law's
grandson Subrahmanya
might be appointed
Baravardar.

Lakshminaranappa 18-5-97 — (36)
deposed as follows —
That after the death
of Tammayya, he
was appointed gumasta
to Krishnappa by
order No 5 of 6-4-85
of the Sub division officer.
That Venkataramanayya
appealed to Govt against
the above order. But
his appeal was rejected.
That as he was the
son-in-law of Tammayya
his son was entitled
to the office. That
since the settlement of
the Potigi he would
receive Rs 84/-. That
out of that amount
he would pay only
eight and odd Rupees
towards the Kandayem
of the lands enjoyed
by Venkatalakshamma

About a year after these depositions were taken, Ramakrishnayya son of Nadig Narasappa submitted a petition to the Asstt: Comr that the office might be given to him. 24-4-97 — (33)

Venkatalakshamma submitted a petition to the Asstt: Comr — that Khandappa performed the obsequies of her husband, at his own expense & that his son Subrahmanya might be appointed Baravardar as he had been maintaining her since the death of her husband. 17-5-97 — (35)

Savitramma also submitted the following petition to the Asstt: Comr — that Nadig Khandappa & his son Ramakrishnayya were distant 'gnatics' to her husband. That the office at first was enjoyed by her father-in-law viz. Venkataramanayya. That Girieppa succeeded Venkataramanayya 18-5-97 — (39)

as her husband was a minor when his father died & when there was no rule that son should succeed to his father's office. That by the support of the rule that son should succeed to his father's office, ~~Gurieppa was~~ Krishnappa was appointed Shanbhog with her husband as gumasta to him. That on the death of her husband her son-in-law was appointed gumasta & had been discharging the duties of the office for the last 14 years. That Venkata Lakshamma might be appointed Baravardar & her son-in-law might continue as gumasta.

The Asstt. Com.[1] for the purpose of examining the claimants took down the depositions of the ~~fo~~ marginally noted ~~claimants~~ persons.

Venkata Lakshamma

1 Venkata Lakshamma
2 Lakshminaranappa
3 Savitramma
4 Subrahmanya
5 Hadig Venkataramanappa

(35) - 18-5-97

9

That he could only pay 1/4 of the Potigi to Venkata Lakshamma but not more. That he never agreed to pay 1/2 of the Potigi to Subbamma. That his mother-in-law Savitramma was under his protection & he should maintain her. ~~That if he was~~ And that he would not pay the amount which he was paying towards the increased kandayem of the lands enjoyed by Venkata Lakshamma if he were to be obliged to give 1/4 of the Potigi towards the maintenance of Venkata Lakshamma.

(38) — 18-5-97

Savitramma deposed that she would give her consent to the appointment of Venkata Lakshamma as Baravardar ~~if~~ provided Lakshminaranappa would continue to be gumasta.

(40) — 18-5-97

Subrahmanya deposed as follows — That his

father & Venkata Lakshamma
husband were cousins.
That he was a nearer
relative to the Baravardar
than the other claimants.
That Lakshminarayappa
was not a 'gnati' &
had no right to be
gumasta. And that
he might be appointed
Baravardar

Hadig Venkata- 18-5-97---(42)
Ramanayya son of
Khandappa deposed
that Krishnappa,
Ramakrishnayya
& himself were
"dayadis", that his
grandfather Venkata-
Ramanayya was
the Shanbhag of Doddenahalli
& that therefore his
brother Subrahmanya
might be appointed
gumasta.

Venkatanarayya 18-6-97---(43)
also submitted a petition
to the Asst. Comr. that
his brother Subrahmanya
might be appointed Baravardar.

Thereon the Asst.
Comr. submitted the 21-7-97 (47)
following report
to the Dy. Comr:—
That 8 villages belong

to Doddanahalli firka with a jama-bandi of Rs 2930. That the amount of Potigi is Rs 81. That Girieppa was the Baravardar of the firka & he died in 1854. That Girieppa's son Krishnappa became Baravardar. That as the latter was illiterate, his cousin Tammayya was appointed gumasta who died in 1880.+ That Venkata-ramanayya alias Tammayya son of Khandappa was proposed by Krishnappa to be his gumasta. That Savitramma wife of Tammayya proposed her son-in-law called Lakshminaranappa to be her gumasta. That the Amildar upheld the cause of Lakshminaranappa & the Subdivision Officer approved the Amildar's choice. That Nadig Venkata-ramanayya's appeal to Govt. against the Subdivision Officer's order was rejected

+ note - It should be 1885.

and Lakshminaranappa was confirmed in his appointment in 1885. That since 1885 Lakshminaranappa has been gumasta. That lately Krishnappa died & that his wife Venkata-Lakshamma & her daughter-in-law Subbamma claim the office. That Venkata-Lakshamma proposed Subrahmanya son of Khandappa to be her gumasta on the ground that he had been maintaining her, & performed her husband's obsequies.

The asstt. bonus after repeating the depositions of Khandappa, Subrahmanya, Savitramma Subbamma and Venkata Lakshamma reports further as follows — That by referring to the records of the case it is ascertained that Tammayya and his wife Savitramma have represented that Venkataramanayya was the Baravardar. But that according to Barabaliti register

and other records
Krishnappa's father
Girieppa and
his father Tammayya
were Baravardars but
not Venkataramanayya,
father of Tammayya the
late gumasta. That
therefore it is inferred
that Venkata Lakshamma
has better claims to
the office of Shanbhog
than Savitramma.
That as regards the
objectionable conduct
of Lakshminaranappa
in cultivating un-
authorizedly the gomal
land of S. No 65 per-
taining to the village
of Gruttinakere a
detailed yadi of
No 42 of 21-7-97 has
been submitted. Besides
that it does not seem
fair to continue
Lakshminaranappa
as gumasta against
the wish of Venkata-
Lakshamma. That
Venkataramanayya
son of Nadig Khandappa
states that the office was
acquired by his great-
grand-father Giriapandit
& that it was restored to
his grandfather permanently
That in support of his

statements, he has produced copies of certain Sannads. That it is not known how & when the office was conferred on the late Baravardar Krishnappa. That Krishnappa, Tammayya & Nadig Khandappa seem to be distant gnaties; That Nadig Khandappa is the great-grandson of Giriapandita. That Venkata Lakshamma also desires that Subrahmanya son of Khandappa to be appointed Baravardar. That therefore Venkata Lakshamma may be appointed Baravardar with Subrahmanya as gumasta. That it also seems to be fair that a sum of Rs 30 may be given to Venkata Lakshamma & her daughter-in-law for their maintenance, and Rs 15 to Savitramma ~~out of~~ out of the Potigi. That the remaining portion of the Potigi may be given to the gumasta. That Subbamma's request

Vide (17-18-19)

for the appointment of Garavardar is not sound as her husband died before her father-in-law ie Tammayya died. That Krishnappa son of Nadig Narasappa is a distant 'gnati' & should establish his claim in a civil court.

On the receipt of the above report the Amildar was ordered by the Dy. Comr. to report on the following two points viz (1) the portion of the Potigi that was enjoyed by Krishnappa till his death & (2) whether Subrahmanya consents to give to Venkata-Lakshamma and Savitramma, the portion of the Potigi suggested by the asstt: Comr.

(51) — 9-8-97

The Amildar as required above, took down the deposition of Subrahmanya to the effect that he would give Rs 30 to Venkata Lakshamma & Rs 15 to Savitramma and

& would work as gumasta on the remaining portion of the Potigi, ~~the Amildar~~ and reported as follows — That from the depositions of Venkata Lakshamma and Lakshminaranappa it was clear that no portion of the Potigi was paid to Krishnappa. That certain lands attached to the office in Doddenahalli, Belavathanahalli, Jadagatta and Hebbarnahalli were enjoyed by Krishnappa & That after the settlement of the 'pakka Potigi' a sum of Rs 8 and odd was paid out of the Potigi towards the Kandayem of the said lands. And that Subbrahmanya has agreed to pay the portion of the Potigi suggested by the asstt: bom: to Venkata Lakshamma and Savitramma. Vide - (51)

Meanwhile Lakshminaranappa in connection with the unauthorized cultivation of Gomal land of S. No 65 of Gattinakere village was dismissed.

11

(53) — 30-7-97

Seetharamayya son of Shanbhog nadig Sribbanna submitted a petition to the Amildar — that he was a gnati to Tammayya, that Venkata Lakshamma and her daughter-in-law would give their consent to his appointment as gumasta & that he might be appointed gumasta in place of Lakshminaranappa who was dismissed ~~lately~~.

(52) — 2-8-97

Savitramma ~~also~~ submitted a petition to the Dy. bomr stating as follows — that she learnt that ~~her~~ Lakshminaranappa was dismissed from service. That her grandson Rangayya+ might be appointed gumasta to Venkata-Lakshamma to whom he would pay the portion of the Potigi in accordance with the rules

note — + Rangayya seems to be a pet-name of Venkataramayya.

(54) — 18-8-97

Venkata Lakshamma also submitted a petition to the Dy. bomr to the effect that Khandappa's grandson Subba Roa might be appointed Baravardar and

Subrahmanya might be appointed gumasta till the former would attain majority.

Thereon the Dy. Comr ordered the marginally noted persons to appear before him

1 Savitramma
2 Rangayya ~~son of~~ grandson of Savitramma
3 Venkata Lakshamma.

Savitramma deposed as follows before the Dy. Comr — That the office of Shanbhog of Doddenahalli firka might be ~~made~~ registered in the name of her grandson ie daughter's son. That her grandson would agree to give the same amount of Rs 30 which Subrahmanya had agreed to give to Venkata Lakshamma. And that her ~~son~~ grandson ~~would~~ had been maintaining her.

22-10-97 (6:

Venkataramayya son of Lakshminaranappa deposed as follows — That he heard the deposition of his ~~grandfather~~ grandmother, that he would give Rs 30 to Venkatalakshamma, & that his grandmother

was under his protection

~~Vide~~

Vide — (63) — ~~23-10-97~~

Dy. bom's order No 236 of 23-10-97

note - Venkatalakshamma's deposition is missing

Thereon the Dy. bom. passed the following order —

"I made an enquiry of Venkatalakshamma wife of Baravardar Krishnappa, Sanitramma wife of Tammayya and her daughter's son Venkataramayya ~~in my presence~~ personally. I also referred to the records containing the report of the Sub Division Officer submitted to Govt. on the Firyad memorandum of No 128 of 29-8-86 & the copy of the Govt. Endorsement No 3497/137 given to the petitioner Venkataramanayya. The office of Shanbhog should be registered in the in the name of Venkatalakshamma Baravardar's wife. Krishnappa was only a Baravardar & never discharged the duties of the office. Tammayya the cousin of Krishnappa, was

gumasta for a very long period. After his death his son-in-law was appointed gumasta & the appointment was confirmed by the order of the Govt. Since the settlement of the 'pattea potigi' the gumasta was paying Rs 8-4-0 out of the potigi towards the 'jodi' of the lands enjoyed by the Baravardar. Savitramma and her grandson Venkata-ramanayya, have in my presence, agreed to pay the same amount of Rs 30 which Venkata-Lakshamma was promised by Subrahmanya, whom she prefers to be her gumasta to Venkataramanayya. By this arrangement Venkatalakshamma's income from the potigi is increased from Rs 8-4-0 to Rs 30 & she has gained the same advantage which she would have got by appointing a person

other than the one, proposed by Savitramma.

For these reasons it is but fair to respect the wishes of Savitramma wife of Tammayya who was both hagalar & served as gumasta for a long time. Therefore as requested by Savitramma, Venkataramanayya has been appointed gumasta. After a year his work should be examined & a report should be submitted. Venkataramanayya should be put in charge of the office immediately. Venkataramanayya should pay the settled portion of the potigi to Venkatalakshamma.

Now (1) Venkatalakshamma & (2) Nadig Venkataramanayya son of Chandappa have preferred an appeal to Govt. against the above order of the Dy. Coms on the following grounds—

1 That Krishnappa husband of Venkatalakshamma

was the Baravardar. That the office was hereditary. That Krishnappa left no male issue & his obsequies were performed by Khandappa father of the 2nd appellant. That Venkatalakshamma has been maintained by the 2nd appellant.

2 That the asstt. Comr recommended that Subbraya son of Venkataramanayya might be appointed Baravardar with Venkataramanayya's brother Subrahmanya as gumasta. Yet that the Dy. Comr appointed Venkataramanayya son of Lakshminaranappa who was dishonest & who was dismissed from service, in connection with the unauthorized cultivation of ~~the~~ Gomal land of S. no 65 in Guttinakere village ~~&~~ and ~~also~~ also against the ~~wish~~ wish of ~~Vent~~ the 1st appellant. Therefore that the Dy. Comr's order was against ~~the~~ recommendation & against justice.

3 That Lakshminaranappa is not a haddar to the office of Shanbhog

note - In connection with the dismissal of Lakshminaranappa a small file of Vernacular papers is submitted by the Dy. Comr. The precis of this file also is prepared as it was found necessary in connection with the appeal of one bhelwa who was punished along with Lakshminar

of ~~Doddenahalli~~ Jirlea

U Mys

14/3/98

The only question before Govt is the question of ~~succession~~ appointment to the gumastaship rendered vacant by the dismissal of Lakshmi-narnappa. Krishnappa the husband of the Pl-appellant was barawardar Shanbogue from 1854 to 1895 in which latter year he died. He was Shanbogue only in name as he was illiterate. From 1854 to 1885 one Thammia was doing the duties as gumasta & after his death Lakshmi-narnappa, his son-in-law was ~~[illegible]~~ doing duties till his dismissal in August 1897.

Both the Asst Comr & the DC Comr were agreed in ~~app~~ registering the Pl-appellant as barawardar in succession to her husband. They differed only as to the question of appointing a gumasta

It is now clear that the 1st appellant prefers the brother of the 2nd appellant as her gumasta. The lower court has however refused to accept this nomination on the ground that the wishes of the widow of Thammia who was gumasta for 31 years should be consulted & that all that the 1st appellant could ask was a suitable allowance which the grandson of Thammia i.e. son of the dismissed gumasta was prepared to give.

Strictly speaking Krishnappa, the barawardar, should have been removed under sec XIX of the Dept Rules to make way for a competent member of the family. It was however not done & the barawardar at present is a woman whose right to discharge duty by a gumasta has been recognized by the R Rules

Mr. 30/3/98

It was Jannappa who did the work for a long time. [illegible] this one case in which [illegible] the record of [illegible] does not [illegible] [illegible] negligence [illegible] [illegible] [illegible] this case [illegible] the daughter [illegible] the [illegible] recognized [illegible] [illegible] and [illegible] not be disturbed

[illegible] the [illegible] Vadlakakkanadu [illegible] the barawardar alone [illegible] [illegible] [illegible] official [illegible] 1895 [illegible]

[illegible] 234.98

Offs put up 29/4/98

Submitted
(1) Two Rs. stamp affixed & stamp [illegible]
(2) The order complained of is the one passed by the Genl. duty Asst. Commr. Vide [illegible] 1/8/97
BK 18/11/97

No. from pet. No 1253 & 1236, it appears that the order was passed by the Comr.

(2) In time

(3) Appeal against the Comr's order dismissing pet. from Shanbogi gunastaship for his complicity in a case of unauthorized cultivation

(4) Not a Council case

= Pet. Nos 1253 & 1236 are related to this pet.

Sub. to 2nd Councillor
[illegible] 24/11/97

The Dy. Comr's order is not here - Still the Pet. [illegible] [illegible] [illegible] [illegible] mentioned in that order 1/12/97

Pet. sent to Dy. Comr. vide [illegible] Pet. [illegible] 2-8-97

[illegible] 4/12/97

Sheet pet. Firend. End. put up [illegible] 4/12/97

49 1897

No. 1233.

Name of Petitioner Lakshminarayanappa Shanbhogi-gunas

Village Doddenahalli-fil

Taluk Arsikere

District Hassan

Date of Arzi 10-11-'97

Date of Receipt 13-11-'97

Date of Disposal ~~[illegible] 90~~

No. of Enclosure 3 Vol. XIV

LA. 129-97-1

ABSTRACT.

The order appealed against viz. that of the Genl. duty Asst. Commr. (No. 140/184, dy 2-8-'97) as communicated to the pet. through the Taluk No 188, dy 6th August '97, is as follows:-

"Order No. 140/184 dy 2-8-'97 has been received from the Genl. Duty Asst. Commr. dismissing you from the place of Shanbhogi-gunas in the case of a mis-appropriation of 9a-4g land

land out of the Gomal S. No 65 in Gittinakere village by one Chaluva. You are, therefore, to hand over all accounts ~~concerning~~ connected with the Shanbhoki to Subrahmanyaiya, son of Harnahalli Khandeppa."

The petr prays for a cancellation of the above order on the following grounds:—

2 That he did make mention of the encroachment of Cheluva, holder of land adjoining the Gomal S. No 65, in the ~~lat~~ List No 8 (Takarar takhte) and brought it to the notice of the Amildar.

3 That during the enquiry of Cheluva by the Amildar, he has deposed* to the effect that he cultivated some portions being ignorant of the boundary.

* d 15-1-97

That in the Jamabandi which took place on 15-2-97 the Jamabandi Officer ordered on ~~food reasons~~ some complaint that 8 years' Kandayam on the encroached portion should be recovered from the said Cheluva, and also that such portion may be assessed and given to him (Cheluva)

for

Pet 1063 P2

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

LA 129-97-2

OFFICIAL MEMORANDUM.

The accompanying Appeal Petition No. 1233 dated received at the Dewan's Office from Lakshmi Narayanappa, Shanbhogi Gumastha of Doddenahalli Pirka in the Arsikere Taluk, appealing against the order of the Dy Comr dismissing petition from the Shanbhogi Gumastha for his complicity in a case of unauthorised cultivation is forwarded, together with its three enclosures, to the Deputy Commissioner of the Hassan District for submission of the entire proceedings connected with the case, together with a full report of the facts of the case, and on the points urged in the petition.

2. The petition with its enclosures should be returned.

3. The attention of the Dy Comr is invited to this office wo Pet 686 dated 8-12-97 in which a report has been called for on the appeal of Cheluva

By order,

BANGALORE,

24/2/1898

By order

Chief Secretary.

for Secretary

22.2.98

M.G.C.P.B.—25-4-95—1,000

Gl. No: 5872/428 from D.C. Hassan No 787 dt 11-2-98. & connected papers were given to Mr. Mr. Venkannachar for precis on 25/2/98.

Ak 15/3/98.

To Mr Venkanna Char to submit with the file

Mg 16/3/98

Recd 19/3/98

Sub. with the above file & precis

Mg 21/3/98

Sub. to 2nd Councillor with precis Mg 30/3/98

Gen. Serial No. 31.]

1898

From

The Deputy Commissioner
Hassan District.

To

L.C. 129-97-3

The Secretary to the
Govt. Dewan of Mysore.
Gen: and Rev: Departments.

Dated 10 March 1898

Despatched

Received

Enclosures—No. 4

General No.
No. 894

Referring to the Firizad Memo No 1063, dated the 24th ultimo, calling for records connected with the dismissal of Lakshminarnappa, Gumasta Shanbogue of Doddenahalli in the Arsikere Taluk, has the honour to state that the records have been submitted with this office letter No 757, dated 4th ultimo, in connection with the appeal of Venkata Lakshamma and Venkatramanaiya claiming for the Shanbogue.

2. The petition received with the memo above alluded to is herewith re-submitted with its accompanyments.

Deputy Commissioner
Hassan District.

Recd 14/3

12.3.98

No. 1235

Impounded
Act 13-11-97
District Stamp
Officer.

[illegible] 1233 [illegible]

[illegible] 13-11-97

[illegible]

1 [illegible]

[illegible] 2-8-97 [illegible] 140/184 [illegible]

[illegible]

2 [illegible]

[illegible] 96-97 [illegible]

[illegible]

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Reference with petn. 1239 of 15/11/97.
Please put up
[illegible] No. 1257/29-5-85
[illegible] No 3497/137 forwarding
copy of [illegible] Venkataramaiya
on [illegible] regarding the [illegible]
of Doddenhalli [illegible] - Arsikere
Taluk. [illegible] Dy. Commr's
order.
BK
17/11/97

General Records.

[illegible]
17/11

[illegible] Branch

Reference required put up

18-11-97 [illegible] 18/11/97

Submitted with 1239

(1) [illegible] stamp suff.
(2) [illegible] Dy. Commr's [illegible] In time
d 22-10-97
(3) Petn No. 1239 [illegible] herewith - the petnr. [illegible] early [illegible] may be [illegible] Dy. Commr's [illegible] in abeyance pending disposal of their appeal.

prays for stay of execution of order

BK
20/11/97

(4) Not a council case

= The facts of the case are briefly these: one Krishnappa was the barawadar of the Doddenhalli [illegible] As he was [illegible] personally incompetent for the work, one Thammaiya closely related to Krishnappa was looking after the duties as [illegible] from the year 1854. Thammaiya died in 1885 after a service of 31 years. The deb-

56 (2)
1897

No. 1230

Name of Petitioner (1) Venkatalakshamma
(2) Nadig Venkataramaiya

Village Harnahalli

Taluk Arsikere

District Hassan

Date of Arzi 12-11-97

Date of Receipt 13-11-97

Date of Disposal [illegible] 1-12-97

No. of Enclosure 5

ABSTRACT.

Ptff. - (1) Venkatalakshma wife of Krishnappa Shanbhogue [illegible] Doddenahalli.
(2) Nadig Venkataramaiya son of Khandappa nadig, Harna[halli]

Defts. - (1) Savitramma wife of Tammaiya
(2) Venkataramaiya grandson of (1) Deft.

Appeal against the [illegible] of the Dy. Commr's No. [illegible] -10-'97, which

Mildar of Urikere.

Recd Govt Memo No 3497/137, sent with the copy of Govt Endt granted to petr (Venkatramanaiya), as well as the Sub Divn Officer's report in respect of the Govt Memo No 128, dy 29-5-'85 (on the petn of Venkatramanaiya) after the personal examn of (1) Venkata Lakshamma wife of Shanbhoge Krishnappa (baravarddar), (2) Savitramma, wife of Tammaiya, and (3) Venkatramaiya, (Savitramma's daughter's son) in a previous case about the same Shanbhoki.

* Shanbhoki-baravard should be transferred to the name of Venkat Lakshamma, wife of Krishnappa who died ~~childless~~ without leaving a son behind;-

" Govt order confirms in the Gumasta's place Lakshminaranappa, son-in-law of Savitramma, & wife of Tammaiya, cousin to Jid Krishnappa who never looked after the Shanbhoki-work but was simply a baravard-dar;-

" Baravard-dar Krishnappa was receiving from his gumasta Rs 8-4-- since the time of pakka-potgi. Venkata Lakshamma ~~who~~ wants that Brahmanyaiya should become her gumasta because the latter has promised to pay her annually Rs 30/-. But Savitramma and her grandson (Venkatramaiya) have not promised in my presence to undertake to pay to Venkata Lakshamma the same 30 rupees. Thus the annual payment of 8 & odd rupees has

* out of the proceeds of Shanbhoki-jod

has been now increased to Rs 30/-, and Venkata-lakshamma has also the satisfaction of receiving the same benefit that was promised to her from another man. It being therefore found proper to respect the wishes of Lammaiya's wife, Venkat ramaiya, her grandson, has been appointed Gumasta (to Venkatlakshamma). He should be tried for one year, and then the nature of work turned out by him should be reported. He should be allowed to assume charge at once, and Venkatlakshamma should be paid the aforesaid potgi-amount."

The plaintiffs (the pet^rs) state as follows:—

2 That when the Takdar Krishnappa (husband of 1st Ptff) died without a

a son, Khandeppa, father of the 2nd Pltff, performed all the obsequies at his own expense and was even giving something for the maintenance of the family).

3 That the proceedings before the Genl Asstt Commr is in accordance with the wish of Venkatalakshamma which is in favour of the 2nd Pltff;

that Venkatramaiya whom the Dy Commr has appointed Gumasta is the son of one Lakshminaranappa, a man who was dismissed from service for some ~~[illegible]~~ dishonesty (00 [illegible])

4 That Tammaiya was looking after the Shanbhoki during the time of Krishnappa because the latter was illiterate.

5 That after the demise of Tammaiya, none among the cousins of Krishnappa could be found fit to do the work, and Lakshminaranappa, (son-in-law of Tammaiya) ~~was~~ had to be appointed Gumasta.

6 That the said Lakshminaranappa was dismissed from service (vide hukum No 250/42)

for

for some omission to disclose some offence.

7 That some other offences ~~of~~ which the said Lakshminarasappa has been recently supposed to be guilty of are enough to deprive him, + his family of the Shanbhoki hak, were he the Shanbhog himself.

8 That Lakshminarasappa has no hak whatever to ~~the~~ (look after) the Shanbhoki.

9 That the Dy Commr ought to have made Subraya, the grandson of Khandappa, who performed the obsequies, the registered Shanbhog and appointed Subramanyaiya, the latter's son ~~his~~ a gumasta.

10 That in an offence similar to that committed by the said Lakshminarasappa, the patel of Gutteinakere

appealed against.

2. Tallaran List No. 8, of 1896-97

3. Dy. Commr's Order No. 250/42, of 25-7-97 respecting the unauthorized cultivation of a portion of Gomal land S. No. 65 of Guttinakere by Chelwa

4. Dy. Commr's Order No. 770, of 25-9-'97 declining to appoint the son to act for the father, a patel of Guttinakere, during his suspension period. (vide para 10 of the appeal [illegible]).

5. Genealogical Tree.

[illegible]

made registerdar and Subrahmanyaiya (Subraya's father) a Gumasta.

13 That the above named Subrahmanyaiya has been looking after the Shanbhoki since the dismissal of Lakshminaranappa and has been bringing into light more and more of the offences of the dismissed individual. That, according to the Dy Commr's order, if the dismissed man's son were appointed Gumasta much of the offences of the father would ~~not~~ be hushed up.

14. Prays that equitable orders may be passed in the case, and that Subrahmanyaiya be appointed Gumasta pending this appeal.

Enclosures
1 Copy of Order No 236, dy 22-10-97 appealed

Guttmakere village was suspended, and when his son was proposed to act ~~for the~~ for him during the period of suspension the Amildar & the Genl. Asstt. Commissioner both held that if the proposal was accepted it would be no punishment to the patel; and therefore they passed Order No 770 / 25-9-'97 for the appointment of a proper man among the divided cousins for the acting place. (This order serves as a precedent)

11 That Para 5, Sec 43 of the L. R. Code takes serious notice of the kind of offences ~~of the kind~~ committed by the said Lakshminaranappa.

That the Wy Commr. did not take notice of this fact and many more in passing the order in favour of the dismissed man's son which therefore is to be reversed.

12 That the 1st Pltff. has no nearer relatives than the 2 Pltff and therefore she wants that the latter's son, Subraya, may

be

No. 1230

1/3 65

4

COURT FEE

12-11-97

TWO RUPEES

REGD. 1230 R

DATE 13-11-97

Sworn Statement affixed.

Presented in person. 13/11/97

[illegible]

[illegible]

1897 - 98 [illegible]

[illegible]

1 [illegible]

2 [illegible]

[illegible]

2 [illegible]

[illegible]

1 [illegible] 22-10-97 [illegible] 236 [illegible]

2 [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

5 [illegible]

6 [illegible] 250 / 42 [illegible]

7 [illegible]

8 [illegible]

9 [illegible]

[illegible]

13 [illegible]

[illegible]

14 [illegible]

[illegible] 96–97 [illegible]

[illegible] 25-7-97 [illegible]

250/42 [illegible]

[illegible] 25-9-97 [illegible] 77 [illegible]

[illegible] 22-10-97 [illegible] 230 [illegible]

[illegible]

[illegible]

Submitted with petn No. 1230
20/11/97

Set order on that petn

24/11/97

Yes see that order
1/12/97

69 1897 (3)

No. 1239

Name of Petitioner (1) Venkata Lakshmamma and (2) Nadiga Venkata ramania

Village Hannahally

Taluk Arsikere

District Hassan

Date of Arzi } 15-11-97

Date of Receipt }

Date of Disposal L.R. 129-97-5

No. of Enclosure nil

ABSTRACT.

Referring to para 13 of their appeal petition to Govt against the order of the Q. Comr. No 236 dated 22.10.97 regarding the Shambhogi of Doddanahally Pirka, beg to submit that delay in the disposal of the appeal would cause loss to Govt and prejudice the petns' huk to a great extent and pray for early disposal of the same

Petns submit that the petns (Lakshmamma's) husband Krishnappa was the Baramardar and

Lakshminarayanappa was his gumastha; that the Baraward was made in the name of Lakshmamma after the death of her husband; that the said Lakshminarayanappa was suspended for having deceived Govt by gr. antiing certain and for cultivation without the permission or knowledge of Govt; that one Subramaniah a near relative of the petr. Lakshmamma was appointed as gumastha according to her wish; that several fresh cases of deceit have been brought to light and correspondance is being carried on and some more cases are being brought; that the Dy Collr at this critical time had passed orders directing the appointment of Venkataramana son of the above said Lakshminarayanappa; that if the son of the accused under suspension is appointed attempts would be made by him to rectify the faults and hush up fresh cases besides being prejudicial to the petr's hule.

Pray for early orders not to interfere with the present gumastha Subramaniah pending [illegible] of the appeal [illegible] 13/7/30

25/10/97

Eight annas stamp affixed

Presented in person

Mysore Dewan's Petition Department

Regd No 1239 R

Date 15-11-97

[illegible]

... 22-10-97 ...

[illegible]

[illegible]

[illegible]

[illegible]

Pet 685

8-12-97

72

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

1-9-97-6

OFFICIAL MEMORANDUM.

The accompanying Appeal Petition & No. 1238 and 1239 dated 12-11-97 and 15-11-97 respectively received at the Dewan's Office, from Venkatalakshmi and Nadig Venkataramaniya of Hanahalli in the Arsikere Taluk, appealing against the order of the Dy. Comr. No. 236 of 22-10-97 regarding the Shanbhogi of Doddanahally Pirka

are forwarded, together with its then five enclosures, to the Deputy Commissioner of the Hassan District for submission of the entire proceedings connected with the case, together with a full report of the facts of the case, and on the points urged in the petitions.

2. The petitions with its then enclosures should be returned.

By order,

Chief Secretary.

BANGALORE,

8/12/1897

6/12/97

M.G.C.P.B.—25-4-95—1,000

Petition Branch
14/2/98

Recd 16/2 Ref put up.
AK
17/2/98

Sub with petn No 1616

18/2/98 MJ

Forward Pet No 1233 from Lakshminarnappa to Dy Comr drawing his attention to Pet 686 8/12/97 & call for a report.
After this is done send back the file to me (ear)
22/2/98

draft on put up
22/2/98
Sub directed above
MJ
14/2/98

To Mr B R Rice for a precis (Specimens of precis written by me or clerks will be necessary to shown you) 25/2/98

Mr precis
25/2/98

To Mr Venkannachar
25/2/98
precis put up
14/3/98.

Recd 19. 3. 98
Sub
21/3/98 MJ
Sub to 2nd Counsellor with precis 30/3/98

Gen. Serial No. 32.]

74

5 D
Pet 42

1897

From

The Dy Commissioner,
Hagan District.

To

The ~~Chief~~ Secretary to the
Government ~~Dewan~~ of Mysore.
General and Rev. Department
Bangalore.

Dated 11th
Despatched
Received
} February 1898

Enclosures No. Petition & 2 files of V.P.

General No.
No. 787

In reply to No 685 dy 8/9 December 1897

SUBJECT.

Submitting report on the petition from Venkata-Lakshamma and Nadig Venkataramanaiya of Harnahalli, Arsikere Taluk, appealing against the order of the Dy Commr regarding the office of Shanbogue of Doddanahalli Tirtha &c.

References—(to be entered only in the Dewan's Office).

Office of the Deputy Commissioner
Hassan District.

No 707
6 Reg.

Dated, Hassan, 11 February 1898.

From

The Deputy Commissioner
Hassan District.

To

The Secretary to the Government of Mysore
General and Revenue Departments
Bangalore.

Sir,

Adverting to Firiyad Memorandum No 685, dated 9th December last, forwarding for report petition from Venkatalakshamma and Venkataramanaiya of Harnahatti, appealing against my order about the Shanbogui of the Doddenahatti Firkha in the Arsikere Taluk, I have the honour to state as follows:—

2. One Krishnappa was the Barawarddar Shanbogue but as he was incapable of doing the duty being illiterate, one Tummaiya a member of his family, was discharging the same, as his gumasta, for many years past. The Barawarddar was allowed to enjoy the Inamland assigned to the office, the Gumasta paying the jodi due on it, but the Gumasta was in full enjoyment of the pay [illegible] of the office. When the Gumasta died leaving no male issue, his son-in-law, Lakshminarayanappa, succeeded him at the request of his widow and his appointment was confirmed by Government as conveyed by endorsement No 540, dated 10th September 1885 issued to Venkataramanaiya, the 2d appellant, who claimed the office, but who

was

who was informed that the appointment of son-in-law of the Gumasta was equitable as the deceased Sammaiya was a member of the Barawarddar's family and a very close relative in the direct line. Copy of this endorsement was sent to the then Hassan Sub Division officer with No. 3497/137 of the same date.

3. Barawarddar Krishnappa also died in 1895 leaving no male issue. His widow Venkata Lakshamma requested the appointment of one Subraya, the minor son of distant cousin of her deceased husband, Subramhanyaiya being appointed Gumasta during the minority of the nominee Subraya. In the meantime, a case of clandestine cultivation at Guttinakere was brought to light. Shanboque Gumasta Lakshminaranappa was found guilty and he was accordingly removed from the office the Shanaboque charge being temporarily made over to the above named Subramhanyaiya, a member of the 2d appellant's family.

4. On dismissal of Lakshminaranappa, his mother-in-law Savitramma (widow of Sammaiya) requested that her daughter's son Venkataramaiya (Lakshminaranappa's son) may be appointed Shanaboque Gumasta. Savitramma and Venkatramaiya both agreed before me to pay to Venkata Lakshamma, widow of Krishnappa Rs 30/- per annum, the amount promised by Subramhanyaiya. The arrangement was considered reasonable

reasonable by me and I accordingly appointed Venkataramaiya to the office.

5. The Baraward of the office was in the name of the 1st Appellant's deceased husband but he did not discharge the duties for years through incapacity. Respondent's husband Tammaiya as next of kin and afterwards his son-in-law on behalf of the Respondent discharged the duties of the office with the approval of Government enjoying the full Potgi of the office minus 8¼ Rupees which was paid as Jodi for the Shambogui Inam enjoyed by the Barawarddar. By the above arrangement the widow of the Barawarddar (1st Appellant) has obtained a concession which her husband never enjoyed.

6. From the Genealogical tree Affixed with the record, it would appear that the deceased Tammaiya and Krishnappa were the sons of uterine brothers and that the 2d Appellant is a distant cousin.

7. The Vernacular correspondence ending with the Arsikere Amildar's report No. 385/379, dated 2nd December last, relative to the appointment of Venkataramaiya and that ending with report No. 613/405, dated 25th ultimo, relative to the dismissal of Lakshminaranappa, are herewith submitted for needful reference and obliging return. The petition received with the Tiriyad memo, under reference, is also herewith submitted.

I have the honour to be
Sir,
Your Most obedient Servant

[signature]

For Deputy Commissioner
Hassan District

(9)

[illegible] 1239 [illegible] (two [illegible] English)

[illegible] 2-5-98

[illegible] 1239-[illegible]

[illegible]

[illegible]

[illegible] 13-11-97 [illegible]

[illegible] 1230 [illegible]

15-11-97 [illegible] 1239 [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

"By order"

'Dfl'
C2

For Secy

(1351) 10521 / 04738974 S 2/5/98 [illegible] 11/4/98

Copy of the above is forwarded to the Dy. Comr Hassan Dist for information together with the records received with his letter No 787 dated 11th Feb 2/98

B.O.

'Dfl'
[illegible] 29/4/98

For Secy

+ [illegible]
[illegible]
2-5-98